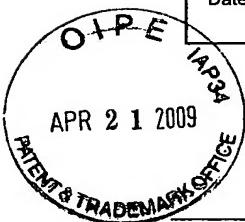


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: April 17, 2009

Signature:

(William A. Di Bianca)



EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPIICPCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
Zubok et al. :
Application No.: 10/783,152 : Group Art Unit: 3738
Filed: February 20, 2004 : Examiner: B. E.
For: PARALLEL DISTRACTOR AND RELATED :
METHODS FOR USE IN IMPLANTING AN :
ARTIFICIAL INTERVERTEBRAL DISC :
Pellegrino :
:

AMENDMENT UNDER 37 CFR § 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action dated October 17, 2008, finally rejecting claims 1, 3, 4, 9-12, 16 and 17, please amend the above-identified U.S. patent application as follows: